Agenda – Board of Adjustment – March 4, 2020

PUBLIC HEARINGS

Item No. 2 Variance – 933 Taylor Avenue
(River Heights-Fort Garry Ward)
File DAV 105147/2020C [c/r DCU 105131/2020C]

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Urban Planning Division recommends approval of the application to vary the "R2 PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 as follows:

1. for the construction of a multi-family dwelling to permit 8 parking spaces instead of 10 parking spaces;

2. for the establishment of an accessory parking area to permit insufficient buffering to a parking area that is located within 20 feet (6.10 metres) of a rear lot line abutting or adjacent to a residential zoning district.

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File:	DAV 105147/2020C
Applicant:	Veritas Development Group Ltd. (Landon Friesen)
Premises Affected:	933 Taylor Avenue
Legal Description:	EXC TAYLOR AV PL 6600 LOT 16/18 BLOCK 14 PLAN 857 24 ST B, hereinafter called "the land"
Property Zoned:	"R2 PDO-1 Airport Vicinity Protection Area" Residential Two-Family Planned Development Overlay - 1 (District)
Nature of Application:	To vary the "R2 PDO-1 Airport Vicinity Protection Area" District Dimensional Standards of the Winnipeg Zoning By-Law No. 200/2006 as follows: 1. for the construction of a multi-family dwelling to permit 8 parking spaces instead of 10 parking spaces; 2. for the establishment of an accessory parking area to permit insufficient buffering to a parking area that is located within 20 feet (6.10 metres) of a rear lot line abutting or adjacent to a residential zoning district.
Exhibits Filed:	1. Application dated January 23, 2020 2. Notification of Public Hearing dated February 13, 2020 3. Manitoba Status of Title 3024796/1 4. Surveyor's Building Location Certificate and sketch dated October 29 and 30, 2019 5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising 6. Plans, Sheets 1 to 9 inclusive, for File DAV 105147/2020C dated January 23, 2020 7. Report from the Urban Planning Division dated February 24, 2020 8. Inspection Report

Agenda – Board of Adjustment – March 4, 2020

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

Moved by

That the report of the Winnipeg Public Service be taken as read.

Moved by

That the receipt of public representations be concluded.

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Moved by

That in accordance with Subsection 247(3) of The City of Winnipeg Charter, the Variance,

(a) ☐ is consistent ☐ is not consistent
with Plan Winnipeg, and any applicable secondary plan;

(b) ☐ does not create ☐ does create
a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

(c) ☐ is ☐ is not
the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

(d) ☐ is ☐ is not
compatible with the area in which the property to be affected is situated.

Supporting Comments:

Moved by

That the recommendation of the Winnipeg Public Service be concurred in / not be concurred in and the Variance be approved / rejected.

Moved by

That the public hearing with respect to this application be concluded.

Exhibit “7” referred to in File DAV 105147/2020C

ADMINISTRATIVE REPORT

Title: DAV 20-105147\C – 933 Taylor AVE

Issue: For consideration at the public hearing for a variance to establish an eight (8) unit multi-family dwelling.

Critical Path: Board of Adjustment as per the Development Procedures By-law and The City of Winnipeg Charter.

AUTHORIZATION

Author	Department Head	CFO	CAO
Dylan Harris (MCP)	n/a	n/a	

RECOMMENDATIONS

The Urban Planning Division recommends **approval** of the application to vary the "R2 PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 as follows:

1. for the construction of a multi-family dwelling to permit 8 parking spaces instead of 10 parking spaces;

2. for the establishment of an accessory parking area to permit insufficient buffering to a parking area that is located within 20 feet (6.10 metres) of a rear lot line abutting or adjacent to a residential zoning district.

REASON FOR THE REPORT

- Variance applications require a public hearing as per *The Development Procedures By-law* No. 160/2011 and *The City of Winnipeg Charter*, section 249.
- The report is being submitted for the Board of Adjustment’s consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the variances will be **approved.**

FILE/APPLICANT DETAILS

FILE:	**DAV 20-105147\C**
RELATED FILES:	DCU20-105131/C
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.604 Grant Park
SUBJECT:	To vary the "R2 PDO-1 Airport Vicinity Protection Area" dimensional standards of Zoning By-Law No. 200/2006 as follows: 1. for the construction of a multi-family dwelling to permit 8 parking spaces instead of 10 parking spaces; 2. for the establishment of an accessory parking area to permit insufficient buffering to a parking area that is located within 20 feet (6.10 metres) of a rear lot line abutting or adjacent to a residential zoning district.
LOCATION:	933 Taylor AVE
LEGAL DESCRIPTION:	EXC TAYLOR AV PL 6600 LOT 16/18 BLOCK 14 PLAN 857 24 ST B
APPLICANT:	Landon Friesen 128 James AVE Unit 100 Winnipeg , Manitoba R3B 0N8
OWNER:	Veritas Development Group 933 TAYLOR AVE Winnipeg , Manitoba R3M 2K3

DISCUSSION

CRITERIA FOR APPROVAL

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a variance with respect to a property may be approved if the variance:

(a) is consistent with Plan Winnipeg and any applicable secondary plan;

(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

(c) is the minimum modification of a zoning-by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

(d) is compatible with the area in which the property to be affected is situated.

SITE DESCRIPTION

- The subject property is located on the north side of Taylor Ave, in the Grant Park neighbourhood of the River Heights - Fort Garry ward.
- The site is located in a Mature Community as designated in the *Complete Communities Direction Strategy*.
- The subject property is zoned “R2” Residential Two-Family district and is 6617 sq. ft. in area.
- A single family dwelling constructed in 1942 is currently located on the subject property.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: A rear lane then multi-family residential uses zoned “RMF-S” Residential Multi-Family Small district.

South: Taylor Ave. then a Manitoba Hydro facility zoned “M1” Manufacturing Light.

East: A two-family side by side residential use zoned “R2” Residential Two-Family district.

West: Two-Family residential uses zoned “R2” Residential Two-Family district.



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to demolish the existing single family dwelling and to establish an eight (8) unit multi-family dwelling with eight (8) motor vehicle parking spaces.
- A corresponding conditional use application (DCU 20-105131C) to enable multi-family residential uses in the “R2” district is required. For more information, please see the corresponding planners report.
- As proposed variances for parking supply and buffering of parking from the rear lane are required to enable the proposed development.

Collaboration

- In advance of filing a formal application, the applicant contacted the Urban Planning Division to elicit feedback regarding the proposed development of an eight (8) unit multi-family building at 933 Taylor Ave. A preliminary site plan and elevations were submitted for further discussion.
- The Urban Planning Division provided feedback to the applicant regarding yard setbacks, parking requirements, building design and community consultation.

- The Urban Planning Division advised the applicant their final designs should:
    - Adhere to the Zoning By-law's dimensional standards.
    - Provide a front yard that is aligned with existing development on the block
    - Parking stall dimensions must meet zoning by-law requirements
    - A parking supply of eight (8) stalls for eight (8) dwelling units would be supportable if secure bicycle parking is provided.
    - The design should be considerate of area context, including the adjacent two (2) storey form
    - The applicant was also strongly encouraged to undertake some manner of public consultation.
- The applicant provided a site plan and elevations in response to the feedback above in which illustrates:
    - A building that complies with the dimensional standards of the "R2" zoning district.
    - A two-storey building with a maximum height of 25 feet.
    - Provision of eight (8) parking stalls which meet Zoning By-law requirements.
    - Secure, short term bicycle parking is provided in front of the building.
    - Building elevations illustrate the presence of balconies and entrances facing Taylor Ave., multiple high quality cladding materials and a roof line that is more consistent with area character.
- The applicant indicated there is a large tree in the front yard of the property that may be able to be saved during redevelopment. The applicant is not requesting a front yard variance. Submitted plans illustrate a 20 foot setback from Taylor Ave.
- The Urban Planning Division is supportive of tree preservation wherever possible. As a condition of approval the Urban Planning Division will recommend an arborist report be submitted which can provide additional information about the health of the tree while also providing recommendations on how to protect the tree during the construction process.

REASONS FOR APPLICATION

Parking supply

Multi-family residential uses located in the Urban Infill Area are required to provide 1.2 motor vehicle parking spaces per dwelling unit. Based on the proposed 8 units, the subject property is required to provide 10 vehicle parking spaces. The applicant is proposing 8 vehicle parking spaces. For this reason a variance is required.

Insufficient buffering of a parking area

Zoning By-law 200/2006 requires landscape buffering be provided to separate new parking areas from abutting adjacent residential land uses. The applicant is proposing to provide no buffering along the rear and side lot lines. For this reason, a variance is required.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The subject property is located in a Mature Community.
- *Complete Communities* states Mature Communities "present some of the best opportunities to accommodate infill development, to increase housing choice and to maximize the use of existing infrastructure."
- Areas of Stability / Mature Communities Direction 1 in *Complete Communities* states the public service should "encourage conservation and upgrading of existing housing in mature areas and expand housing opportunities through infill development."

The proposed eight (8) unit residential building will add residential density to this Mature Community in a context sensitive manner that is consistent with the direction established for Mature Communities as identified in the *Complete Communities* direction strategy

- The property also fronts onto Taylor Ave., which fits the description of a Community Mixed Use Corridor as outlined in the *Complete Communities Direction Strategy.*
- Policies which guide development on Community Mixed Use Corridors include:
    - Direction 1: Promote the enhancement of existing and the establishment of new community mixed use corridors.
        - Promote the enhancement of existing Community Mixed Use Corridors through moderate intensification
    - Direction 2: Promote small scale, fine grained development that is responsive to the surrounding community context

The proposed eight (8) unit multi-family use would add residential density to this section of Taylor Ave. in a fashion consistent with surrounding uses and the vision of Community Mixed Use Corridors.

VARIANCES

Parking supply

The Urban Planning Division will often support a parking supply reduction in urban environments that are well served by public transit, have quality cycling infrastructure nearby and have a range of commercial amenities within walking distance.

Taylor Ave. is served by frequent transit service, with a transit stop approximately 115 metres from the subject property.

In addition to regular transit service, an off-street bicycle path is located on the south side of Taylor Ave. This pathway provides access to a range of commercial amenities on Taylor Ave, Pembina Hwy and Waverly St. As part of the subject application the applicant has agreed to provide secure bicycle parking on site.

The subject property is located across the street from the Taylor Ave Major Redevelopment Site, which houses numerous commercial amenities including two full service grocery stores, one of which is approximately 310 metres from the subject property. For these reasons, the Urban Planning Division **supports** this variance.

Insufficient buffering of a parking area

Zoning By-law 200/2006 requires parking areas accessory to multi-family development that are within 20 feet of the side or rear lot line of an abutting residential use provide a landscape buffer to reduce the potential impact of the new parking area.

Given the proposed development provides parking off the rear lane, it is not possible to provide a landscaped buffer between the rear of this property and the adjacent residential zoning district. For this reason, the Urban Planning Division **supports** this variance.

REASONS FOR RECOMMENDATIONS

In the context of Section 247(3), the Urban Planning Division recommends **approval** for the following reasons:

(a) is consistent with Plan Winnipeg and any applicable secondary plan;

In that, the proposed conditional use enables context sensitive infill development in a Mature Community and Community Mixed Use Corridor, as envisioned in the *Complete Communities* direction strategy.

(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

In that, the proposed eight (8) unit building is within the dimensional standards of the R2 zoning district and is similar in size to adjacent residential uses.

(c) is the minimum modification of a zoning-by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

In that, the subject variances enable the applicant to develop their property to its fullest potential and in accordance with *Complete Communities* policy.

(d) is compatible with the area in which the property to be affected is situated.

In that, the proposed multi-family dwelling is consistent in scale and density with existing residential uses on this block of Taylor Ave.

CONSULTATION

In preparing this report there was internal consultation with: N/A

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg's Approach to City Building

- **Direction 3:** Promote compact urban form and manage the extension of municipal services for new growth.
    - Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key directions for specific city areas-Areas of Stability

- **Key Direction**
    - Enhance the quality, diversity, completeness and sustainability of stable neighourhoods and expand housing options for Winnipeg's changing population.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

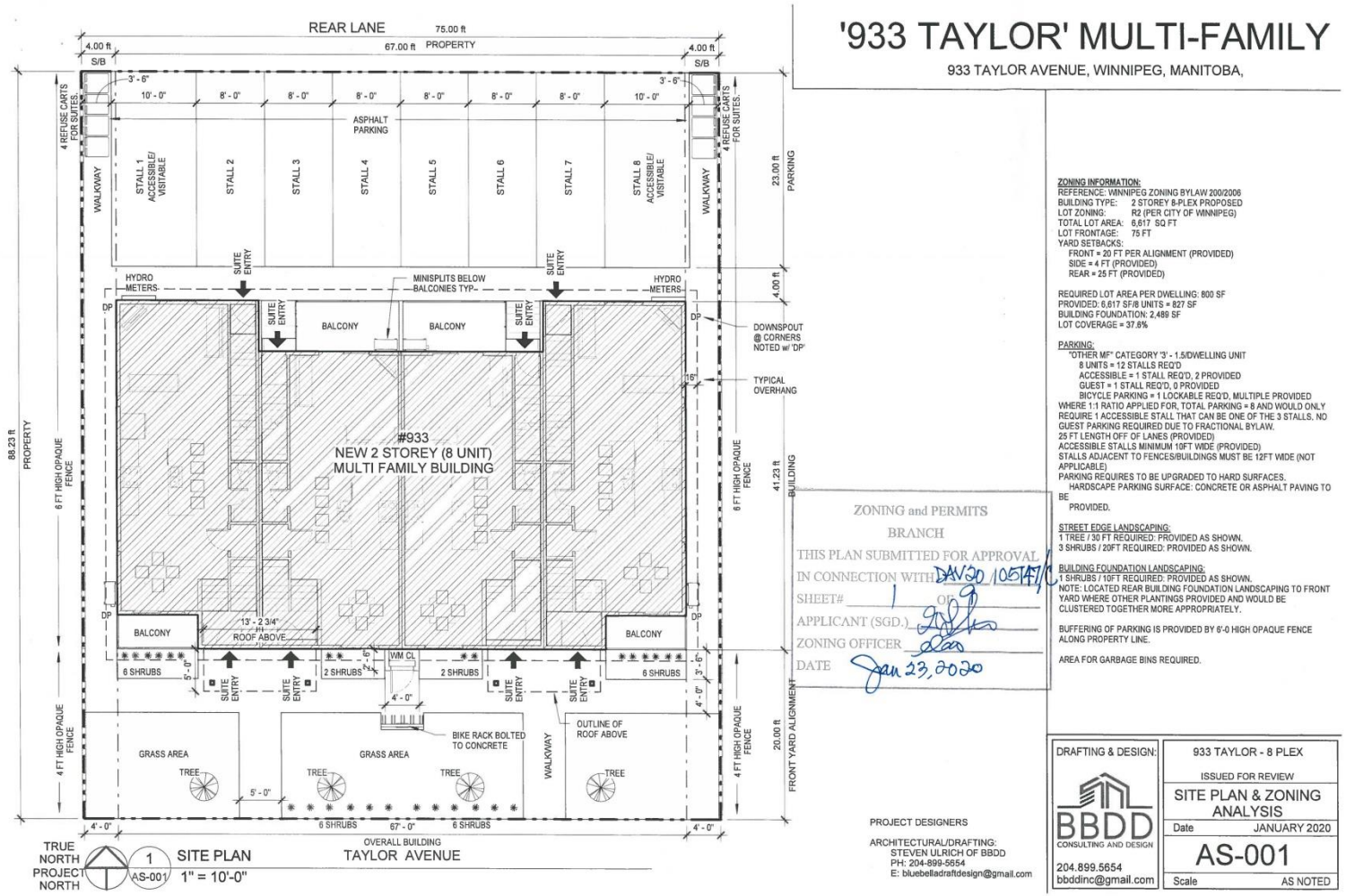
Key Directions

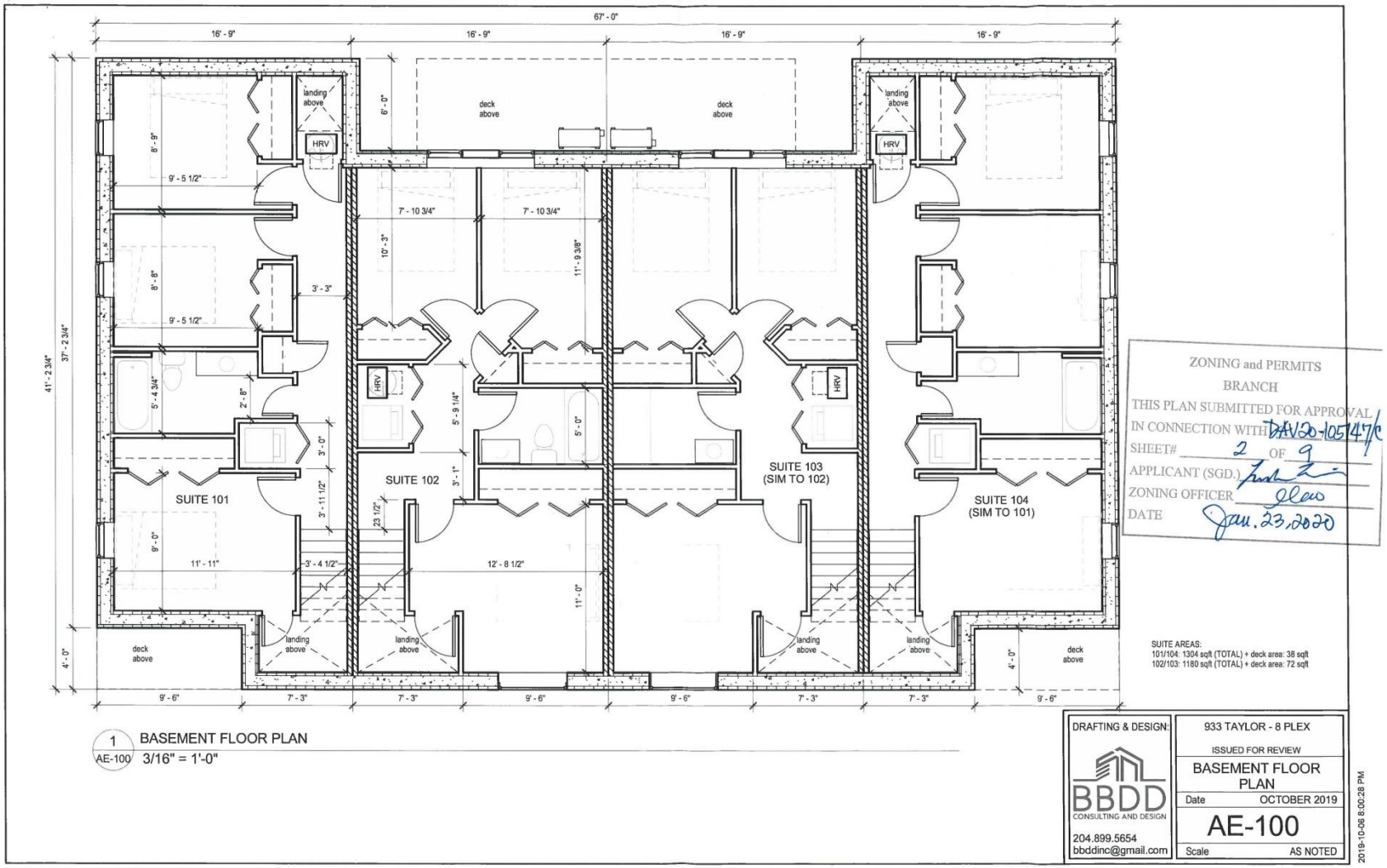
- **4.1** Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service (primary responsibility: Planning, Property and Development Department)

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning
Prepared by:	Dylan Harris (MCP)
Date:	February 24, 2020
File No.	DAV 20-105147\C

Exhibit “6” referred to in File DAV 105147/2020C





1 AE-100 BASEMENT FLOOR PLAN
3/16" = 1'-0"

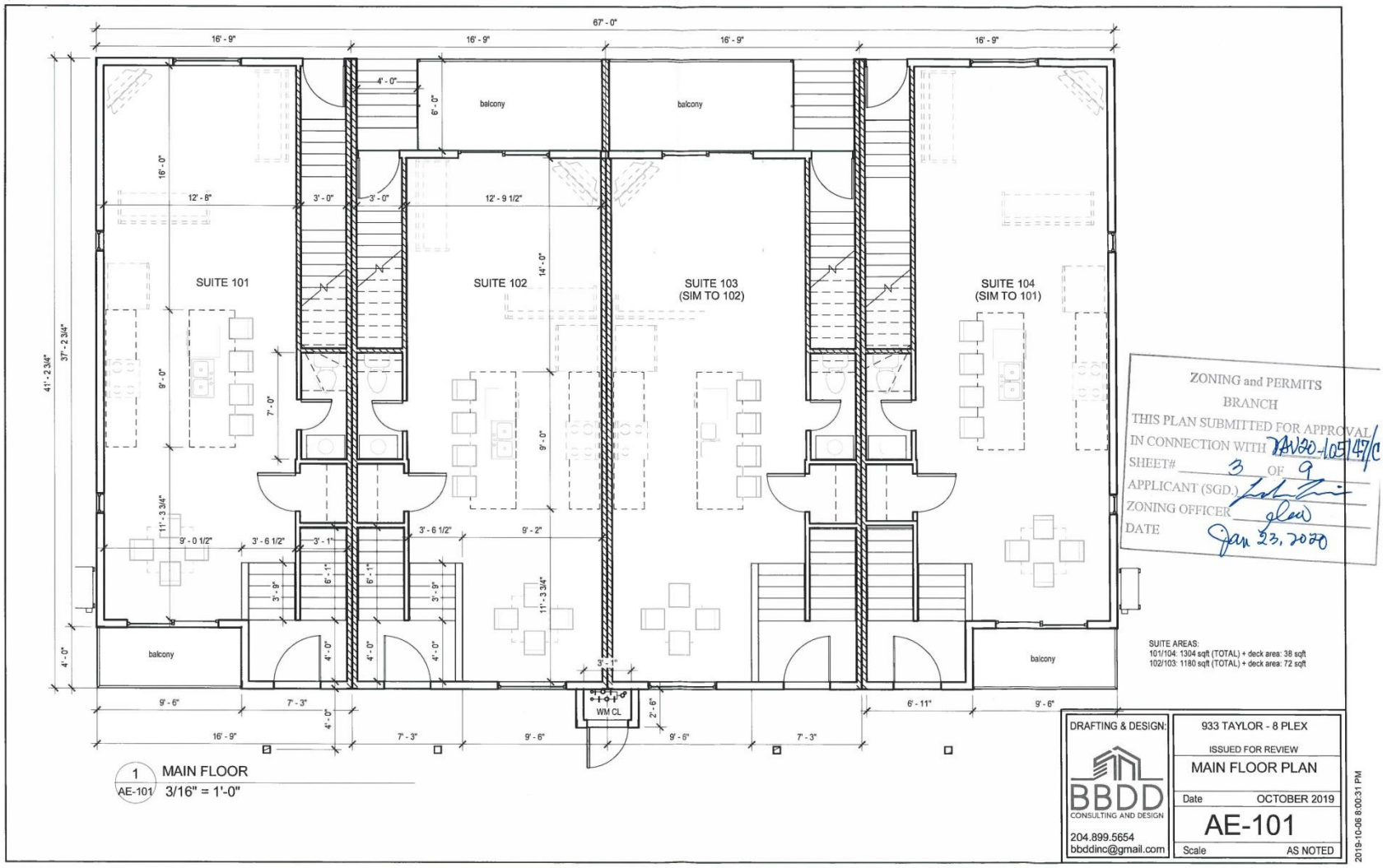
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV20-105147C
SHEET# 2 OF 9
APPLICANT (SGD.)
ZONING OFFICER
DATE Jan. 23, 2020

SUITE AREAS:
101/104: 1304 sqft (TOTAL) + deck area: 38 sqft
102/103: 1180 sqft (TOTAL) + deck area: 72 sqft

DRAFTING & DESIGN:
BBDD
CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com

933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
BASEMENT FLOOR PLAN
Date OCTOBER 2019
AE-100
Scale AS NOTED

2019-10-06 8:00:28 PM


67' - 0"
16' - 9"
16' - 9"
16' - 9"
16' - 9"
balcony
balcony
SUITE 101
SUITE 102
SUITE 103
(SIM TO 102)
SUITE 104
(SIM TO 101)
12' - 8"
12' - 9 1/2"
41' - 2 3/4"
37' - 2 3/4"
WM CL
balcony
balcony
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV20-105747/C
SHEET# 3 OF 9
APPLICANT (SGD.)
ZONING OFFICER glaw
DATE Jan 23, 2020
SUITE AREAS:
101/104: 1304 sqft (TOTAL) + deck area: 38 sqft
102/103: 1180 sqft (TOTAL) + deck area: 72 sqft
1
AE-101
MAIN FLOOR
3/16" = 1'-0"
DRAFTING & DESIGN:
BBDD
CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com
933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
MAIN FLOOR PLAN
Date OCTOBER 2019
AE-101
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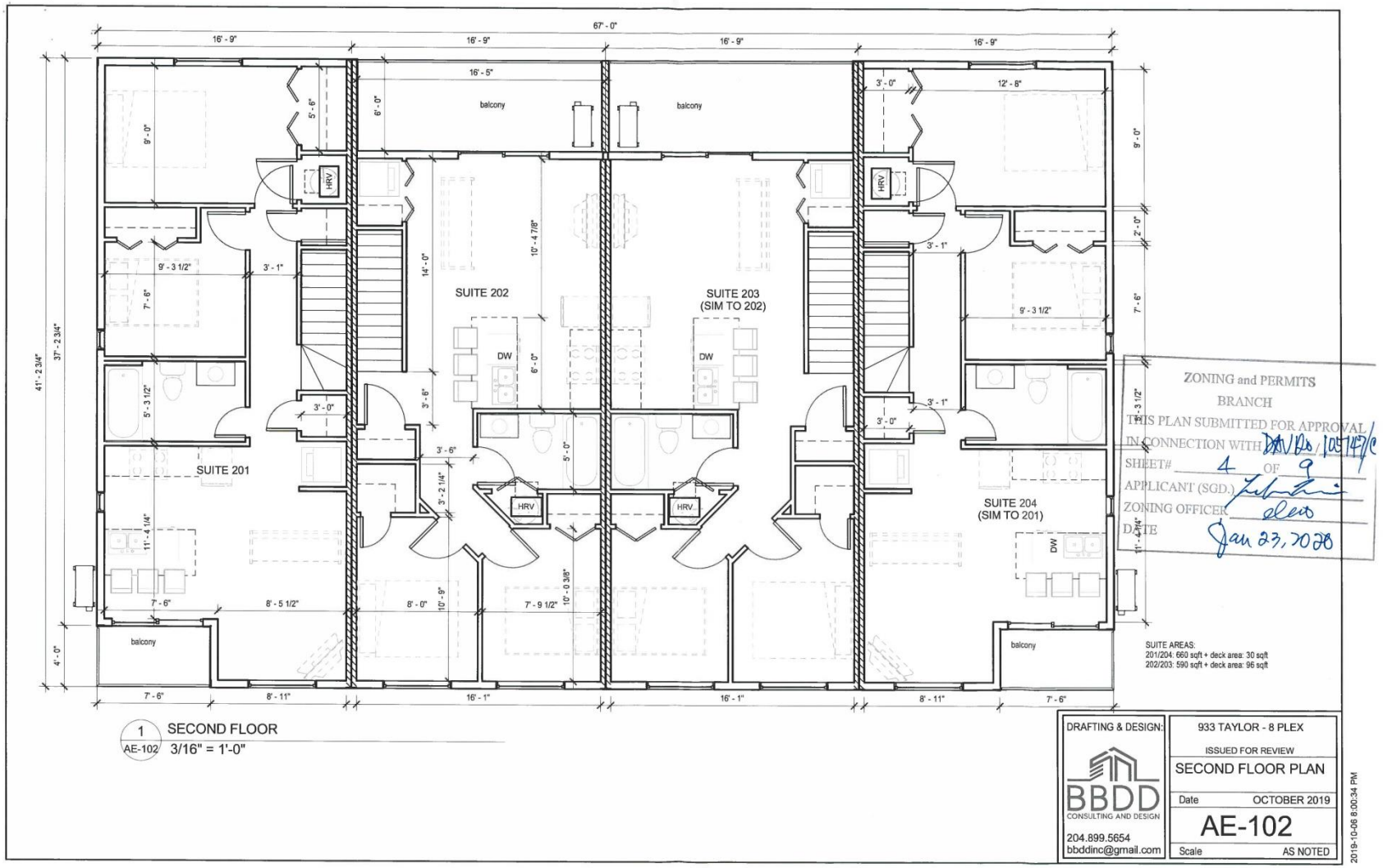
67' - 0"
16' - 9"
16' - 9"
16' - 9"
16' - 9"
16' - 5"
balcony
balcony
3' - 0"
12' - 8"
9' - 0"
HRV
HRV
SUITE 202
SUITE 203
(SIM TO 202)
DW
DW
SUITE 201
SUITE 204
(SIM TO 201)
DW
HRV
HRV
balcony
balcony
41' - 2 3/4"
37' - 2 3/4"
4' - 0"
7' - 6"
8' - 11"
16' - 1"
16' - 1"
8' - 11"
7' - 6"
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DP/BP 105747/C
SHEET# 4 OF 9
APPLICANT (SGD.)
ZONING OFFICER
DATE Jan 23, 2020
SUITE AREAS:
201/204: 660 sqft + deck area: 30 sqft
202/203: 590 sqft + deck area: 96 sqft
1
AE-102
SECOND FLOOR
3/16" = 1'-0"
DRAFTING & DESIGN:
BBDD
CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com
933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
SECOND FLOOR PLAN
Date OCTOBER 2019
AE-102
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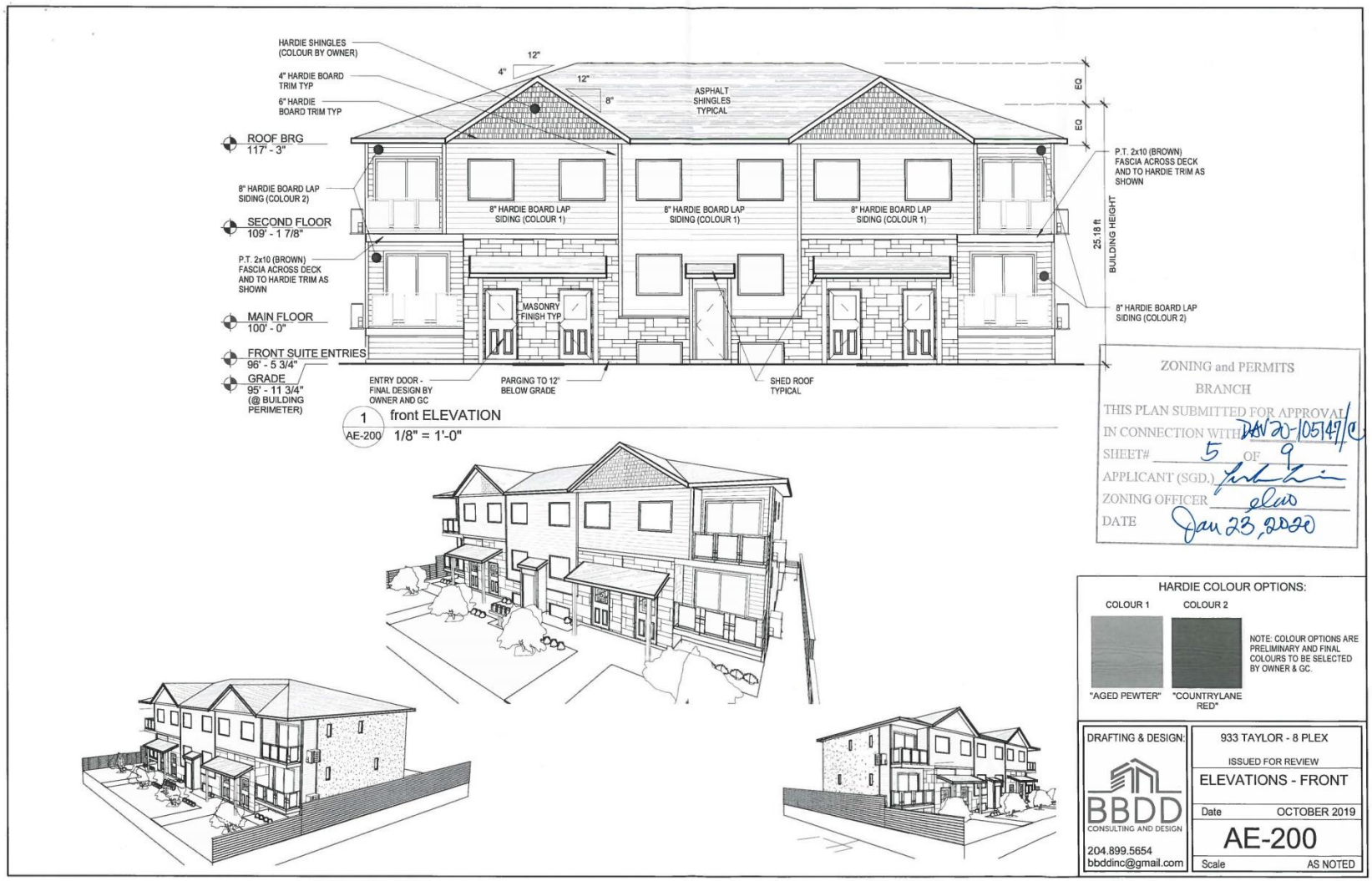


1 / AE-200 front ELEVATION

1/8" = 1'-0"

ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV 20-105147/C
SHEET# 5 OF 9
APPLICANT (SGD.)
ZONING OFFICER elaw
DATE Jan 23, 2020

HARDIE COLOUR OPTIONS:

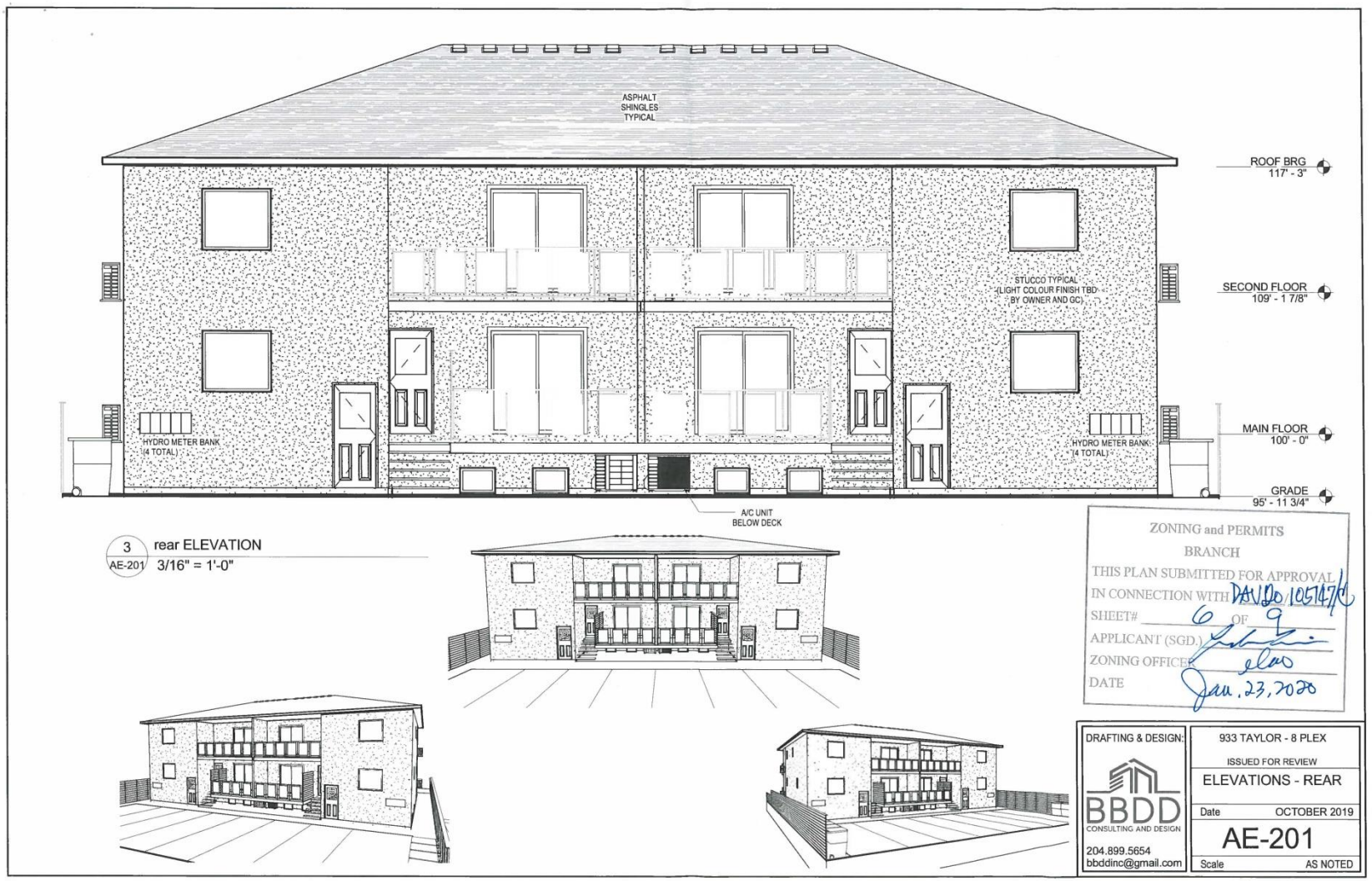
COLOUR 1	COLOUR 2
"AGED PEWTER"	"COUNTRYLANE RED"

NOTE: COLOUR OPTIONS ARE PRELIMINARY AND FINAL COLOURS TO BE SELECTED BY OWNER & GC.

DRAFTING & DESIGN:
BBDD CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com

933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
ELEVATIONS - FRONT
Date OCTOBER 2019
AE-200
Scale AS NOTED

2019-10-06 8:00:42 PM


ASPHALT SHINGLES TYPICAL
ROOF BRG 117' - 3"
STUCCO TYPICAL (LIGHT COLOUR FINISH TBD BY OWNER AND GC)
SECOND FLOOR 109' - 1 7/8"
HYDRO METER BANK (4 TOTAL)
HYDRO METER BANK (4 TOTAL)
MAIN FLOOR 100' - 0"
GRADE 95' - 11 3/4"
A/C UNIT BELOW DECK
3 AE-201 rear ELEVATION
3/16" = 1'-0"
ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DA/DO/105747/A
SHEET# 6 OF 9
APPLICANT (SGD.)
ZONING OFFICER
DATE Jan. 23, 2020
DRAFTING & DESIGN:
BBDD
CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com
933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
ELEVATIONS - REAR
Date OCTOBER 2019
AE-201
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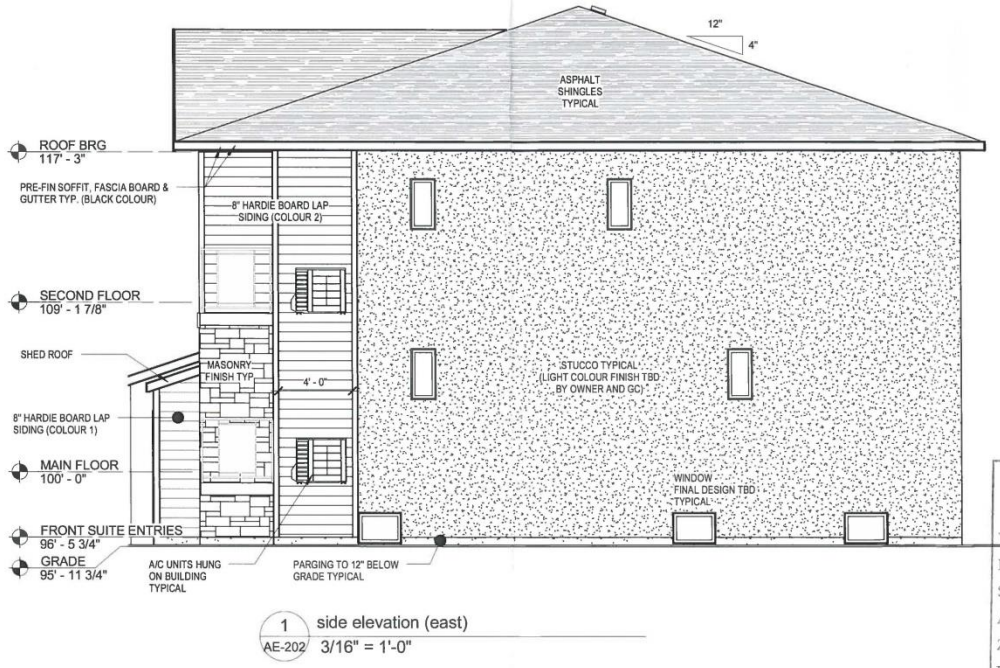
2019-10-08 8:00:50 PM



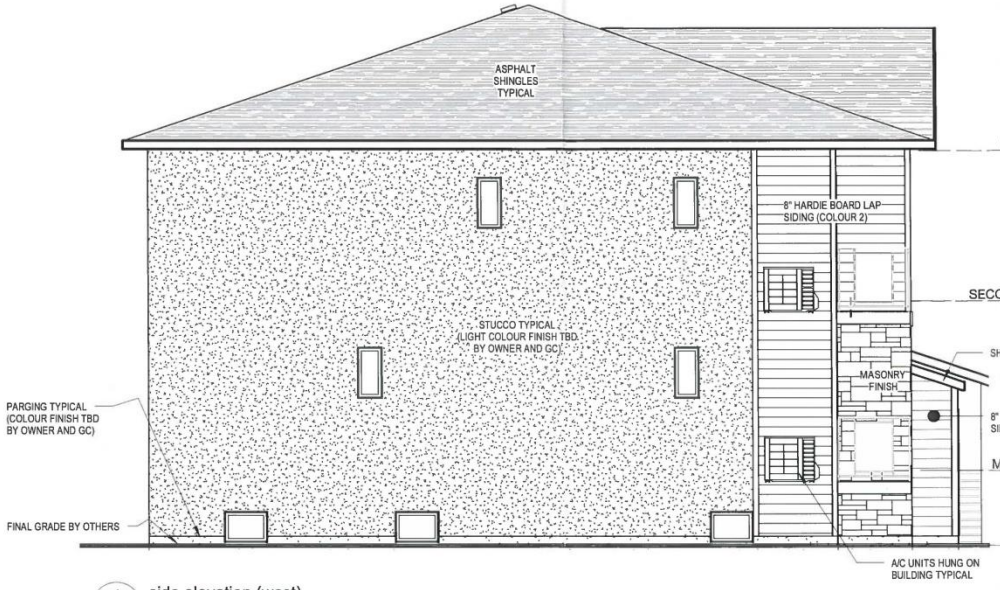
1 AE-202 side elevation (east)
3/16" = 1'-0"

ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DA20 125147
SHEET# 7 OF 9
APPLICANT (SGD.)
ZONING OFFICER
DATE Jan 23, 2020

DRAFTING & DESIGN:
BBDD CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com

933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
ELEVATIONS - SIDE
Date OCTOBER 2019
AE-202
Scale AS NOTED

2019-10-06 8:00:51 PM



1 / AE-203 side elevation (west)
3/16" = 1'-0"

ZONING and PERMITS BRANCH
THIS PLAN SUBMITTED FOR APPROVAL IN CONNECTION WITH DA/20/105147
SHEET# 8 OF 9
APPLICANT (SGD)
ZONING OFFICER
DATE Jan 23, 2020

DRAFTING & DESIGN:
BBDD CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com

933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
ELEVATIONS - SIDE
Date OCTOBER 2019
AE-203
Scale AS NOTED

2019-10-06 8:00:54 PM



1 / AE-200 front ELEVATION
1/8" = 1'-0"

ZONING and PERMITS
BRANCH
THIS PLAN SUBMITTED FOR APPROVAL
IN CONNECTION WITH DA/20/10574/C
SHEET# 9 OF 9
APPLICANT (SGD.)
ZONING OFFICER
DATE June 23, 2020

FINISH OPTIONS:

HARDIE BOARD FINISHES
COLOUR #1 "AGED PEWTER"
COLOUR #2 "IRON GRAY"
COLOUR #3 "COBBLESTONE"

FASCIA, EAVES, GUTTERS, DOWNSPOUTS
KAYCAN 68-MOCHA

ROOFING: SHINGLES
BP MYSTIQUE 42 - TWILIGHT GREY

MASONRY FINISH
IXL BANFF SPRINGS CLIFFSTONE

OTHER FINISHES:
DOORS: PAINTED TO SIMILAR COLOUR AS FASCIA (BM AF-685 THUNDER)
RAILINGS: BLACK FINISH
SUPPORT POSTS & OTHER FLASHINGS: BLACK FINISH

NOTE: COLOUR OPTIONS ARE PRELIMINARY AND FINAL COLOURS TO BE SELECTED BY OWNER & GC.

DRAFTING & DESIGN:
BBDD CONSULTING AND DESIGN
204.899.5654
bbddinc@gmail.com

933 TAYLOR - 8 PLEX
ISSUED FOR REVIEW
ELEVATIONS - FRONT
Date OCTOBER 2019
AE-200
Scale AS NOTED

2019-11-08 10:18:00 AM